

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

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## PCT

WRITTEN OPINION

(PCT Rule 66)

Date of mailing  
(day/month/year)

31. 07. 98

Applicant's or agent's file reference

BD/EN/5-8

**REPLY DUE**

within **3 month(s)**  
from the above date of mailing

International application no.

PCT/GB97/02940

International filing date (day/month/year)

27/10/1997

Priority date (day/month/year)

28/10/1996

International Patent Classification (IPC) or both national classification and IPC

F04D19/00

Applicant

ELTA FANS LTD et al.

1. This written opinion is the **first** drawn up by this International Preliminary Examining Authority.

2. This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

3. The applicant is hereby **invited to reply** to this opinion.

**When?** See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

**How?** By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

**Also:** For an additional opportunity to submit amendments, see Rule 66.4.  
For the examiner's obligation to consider amendments and / or arguments, see Rule 66.4bis.  
For an informal communication with the examiner, see Rule 66.6.

**If no reply** is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: **28/02/1999**

Name and mailing address of the international preliminary examining authority



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**I. Basis of the opinion**

1. This opinion has been drawn on the basis of (*substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed".*):

**Description, pages:**

1-6 as originally filed

**Claims, No.:**

1-11 as originally filed

**Drawings, sheets:**

1/1 as originally filed

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages:  
☐ the claims, Nos.:  
☐ the drawings, sheets:

3. This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims 1
Inventive step (IS)	Claims
Industrial applicability (IA)	Claims

**2. Citations and explanations**

**see separate sheet**

**VII. Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

**see separate sheet**

**VIII. Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

**see separate sheet**

**Section V**

1. Due to the clarity objection in section VIII, below, the disclosure of FR-A-2 277 017 (see figure 2) and FR-A-1 513 039 (see figure 1) can be considered to be prejudicial to the novelty of the subject matter of claim 1. This is because these prior art blades clearly show all the features of claim 1 except for the extension, but can also be considered to exhibit this latter feature as the extension is not clearly defined. However, it is noted that these prior art blades have trailing edges which are straight lines in the views shown, whereas the "extension" of the invention does protrude axially in the discharge direction. Perhaps one way to define this important aspect of the invention would be as described in the very last paragraph of the description - such a claim could meet the requirements of Article 33(1) PCT.
2. As it seems that objections of this communication can be overcome without the restriction of including features of the dependent claims in claim 1, the allowability of these claims will not be assessed at this stage of the procedure for reasons of expediency.

**Section VII**

3. To meet the requirements of Rule 5.1(a)(ii) PCT, the documents mentioned above should be identified in the description and the relevant background art disclosed therein should be briefly discussed.
4. To meet the requirements of Rule 6.3(b) PCT independent claim 1 should be properly cast in the two part form, with those features which in combination are part of the prior art being placed in the preamble.
5. Reference signs in parentheses should be inserted in the claims to increase their intelligibility, Rule 6.2(b) PCT.
6. In order to expedite the procedure, and to assist the examination with respect to Article 34(2)(b) PCT, the applicant is requested to indicate with his reply where there is a basis in the application as originally filed for any amendments made. This should be detailed enough for there to be no doubt as to the origin of any new features in the claims.

**Section VIII**

7. Claim 1 is not clear, contrary to Article 6 PCT, because a blade "extension" is claimed, but it is not apparent with respect to what the blade is extended. For instance a wide blade could be considered to be an extended version of a narrow blade. In other words, a relative term is being used in the claim, without the reference value from which this relation starts being defined in the claim, making its scope unclear.